

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:

PASTA BAR BY SCOTTO II. LLC,

Debtor.

Chapter 11

Case No.: 15-12766-mg

**NOTICE OF MOTION FOR AN
ORDER DISMISSING THE
DEBTOR'S BANKRUPTCY
PETITION**

**Hearing Date: November 19 2015
Oral Argument Requested**

To: Ralph E. Preite, Esq.
Sichenzia Ross Friedman Ference LLP
Attorneys for
Pasta Bar by Scotto II, LLC *dba* Va Presto
61 Broadway
32nd floor
New York, NY 10006

United States Trustee
Office of the United States Trustee
U.S. Federal Office Building
201 Varick Street, Room 1006
New York, NY 10014

Myron I. Altschuler, Esq.
Borah, Goldstein, Altschuler, Nahins & Goidel, P.C.
Attorneys for 750 8th Avenue LLC
377 Broadway
New York, New York 10013

All Other Persons On The Annexed Creditor Matrix

PLEASE TAKE NOTICE that on November 19, 2015 at 2:30 p.m., or as soon after as counsel may be heard, 750 Food LLC, by and through its attorneys, Cox Padmore Skolnik & Shakarchy LLP, shall move before the Honorable Martin Glenn, at the United States Bankruptcy Court, Southern District of New York New York, One Bowling Green New York, NY 10004-

1408, for the entry of an Order, pursuant to 11 U.S.C. §1112(b), dismissing the Chapter 11 bankruptcy petition of the above-captioned Debtor and such other and further relief as is just and equitable.

PLEASE TAKE FURTHER NOTICE that the undersigned shall rely upon the Declaration of Hersel Torkian dated November 5, 2015 and the brief submitted herewith. A proposed form of Order is also submitted.

PLEASE TAKE FURTHER NOTICE that oral argument is hereby requested.

PLEASE TAKE FURTHER NOTICE that any answering papers shall be served so as to ensure actual receipt not later than seven (7) days before the return date and filed with the Clerk not later than one (1) day following the date of service, unless the Court orders otherwise, pursuant to SDNY Local Bankruptcy Rule 9006-1.

Dated: New York, NY
November 5, 2015

COX PADMORE SKOLNIK SHAKARCHY LLP

By: /s Stefan B. Kalina
Stefan B. Kalina, Esq. (SK-8535)
Attorneys for 750 Food LLC
630 Third Avenue, 19th Floor
New York, NY 10017
Tel: (212) 953-6633
Fax: (212) 949-6943